

DECLARATION AND AFFIDAVIT OF DESTINY CLARKE

1. My name is Destiny Clarke and I am over the age of eighteen and am competent to provide the information that follows based upon my personal knowledge.

2. I arrived in downtown Graham, North Carolina on June 28, 2020 at approximately 7:00pm.

3. I exited my car and began walking alone and silently on W Elm St in Graham carrying a “Black Lives Matter” sign.

4. As I turned onto the sidewalk on NW Court Square, I was stopped by a Graham police officer who threatened to arrest me if I did not leave the area.

5. The officer told me that there was no protesting allowed and that I needed to leave or be arrested.

6. I replied, “I don’t have to leave because it’s a public place and it’s before curfew.”

7. The officer persisted in threatening to arrest me if I didn’t leave.

8. I offered to throw away my sign and then threw it away.

9. As I was throwing away my “Black Lives Matter” sign, the officer continued to threaten to arrest me if I didn’t leave.

10. Once I threw away my sign, the officer left.

11. During the interaction, a family passed me, carrying ice cream, and the officer did not interact with them or ask them to leave.

12. I believe that I was being threatened with arrest specifically because I was carrying a sign with a political message.

13. I effectively was not allowed to walk alone on a public sidewalk in Graham solely because I was carrying a poster with political speech on it.

14. I would like to be able to spontaneously take a small group of people (less than 10), and walk on the public sidewalks and steps at the historic courthouse in downtown Graham, North Carolina without having to first seek a permit from the City of Graham in advance, and without seeking the permission of the Alamance County Manager.

15. I am participating in this lawsuit because I want Graham and Alamance County to open up the city of Graham and the courthouse grounds to peaceful demonstration. I want all law

enforcement—including the Graham Police Department, the Alamance County Sheriff, and the State Police—to respect my right to demonstrate against symbols of government-endorsed white supremacy such as the Confederate monument in front of the county courthouse in Graham.

I declare under penalty of perjury that the foregoing is true and correct. Executed on July 2, 2020.



Destiny Clarke